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Honorable Linda B. Riegle
United States Bankruptcy Judge

Entered on Docket
January 03, 2012

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Attorneys for USACM Liquidating Trust

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

In re:	Case No. BK-S-06-10725-LBR
USA COMMERCIAL MORTGAGE COMPANY,	CHAPTER 11
Debtor.	**ORDER GRANTING USACM LIQUIDATING TRUST'S MOTION TO WITHDRAW THE MOTION TO ALLOW IN PART PROOF OF CLAIM NO. 10725-01212 IN THE AMOUNT OF $747,243 BY JAY E. HENMAN RETIREMENT PLAN [DE 9089] AND SUSTAINING OBJECTION IN PART TO PROOF OF CLAIM NO. 1072-01212 IN THE AMOUNT OF $747,243 BY JAY E. HENMAN RETIREMENT PLAN**
	Hearing Date: November 15, 2011 **Hearing Time: 9:30 a.m.**

The Court having considered the USACM Liquidating Trust's (a) Motion To

Withdraw The Motion To Allow In Part Proof Of Claim No. 10725-01212 In The Amount

Of $747,243 By Jay E. Henman Retirement Plan ("the Motion") [DE 9089] and (b)

Objection In Part To Proof Of Claim No. 1072-01212 In The Amount Of $747,243 By Jay

E. Henman Retirement Plan ("The Objection") [DE 9341] at the hearing held on

2558403.1

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2   November 15, 2011. Appropriate notice of the Motion and Objection having been given,

3   no responses having been filed, and good cause appearing.

    IT IS ORDERED

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    1.   The Motion and Objection [DE 9341] is approved;

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    2.   The Motion to Allow In Part Proof of Claim No. 10725-01212 in the amount

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    of $747,243 by Jay E. Henman Retirement Plan [DE 9089] is hereby deemed withdrawn;

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    and

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    3.   Proof of Claim No. 10725-01212 filed by Jay E. Henman Retirement Plan is

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    hereby disallowed in the amount of $50,000 because that portion of the claim that is based

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    upon an investment in the Copper Sage Phase II Loan.

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    PREPARED AND RESPECTFULLY SUBMITTED BY:

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    LEWIS AND ROCA LLP

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    By___/s/ *John Hinderaker* (AZ #018024)

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        Robert M. Charles, Jr.
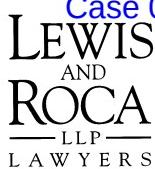   John Hinderaker (*pro hac vice*)

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LOCAL RULE 9021 CERTIFICATION

In accordance with LR 9021, counsel submitting this document certifies that the order accurately reflects the court's ruling and that (check one):

      _____   This Court has waived the requirement set forth in LR 9021(b)(1).

      xxxx   No party appeared at the hearing or filed an objection to the motion.

      _____   I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and any unrepresented parties who appeared at the hearing, and each has approved or disapproved the order, or failed to respond, as indicated below [list each party and whether the party has approved, disapproved, or failed to respond to the document]:

      _____   I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the motion pursuant to LR 9014(g), and that no party has objected to the form or content of the order

U.S. Trustee: Augie Landis	
☐ approved the form of this order	☐ disapproved the form of this order
☒ waived the right to review the order and/or	☐ failed to respond to the document
Other Party: _____	
☐ approved the form of this order	☐ disapproved the form of this order
☐ waived the right to review the order and/or	☐ failed to respond to the document

Submitted by:
LEWIS AND ROCA LLP

By: /s/ *John Hinderaker*. (AZ #018024)
Attorneys for USACM Liquidating Trust

# # #

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